

Message Text

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72

ORIGIN NEA-12

INFO OCT-01 ADP-00 GAC-01 ACDA-19 CIAE-00 PM-09 H-02

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 MC-02 EB-11 IGA-02 AID-20 OMB-01 TRSE-00 /135 R

DRAFTED BY NEA/ PAB: DMCOCHRAN

4/16/73: EXT:22441

APPROVED BY T - DR- TARR

NEA/ PAB: LBLAINGEN (DRAFT)

NEA/ INS: DKUX (DRAFT)

NEA: JJSISCO (DRAFT)

PM: TRPICKERING (DRAFT)

PM/ MAS: DNORLAND (DRAFT)

L/ PM: JMICHEL

NEA: DAVIES

WHITE HOUSE: GEN SCOWCROFT 5/5/73

----- 117943

R 052256 Z MAY 73

FM SECSTATE WASHDC

TO AMEMBASSY TEHRAN

INFO AMEMBASSY ISLAMABAD

AMEMBASSY NEW DELHI

SECDEF WASHDC

JCS WASHDC

S E C R E T STATE 085782

E. O. 11652: GDS

TAGS: MASS, IR, PK

SUBJECT: GOI REQUEST TO SUPPLY MILITARY EQUIPMENT
TO PAKISTAN

REF: TEHRAN 2368

1. AS YOU KNOW, MARCH 12 DECISION RE MILITARY SUPPLY
TO INDIA AND PAKISTAN REINSTITUTED POLICY IN EFFECT
BETWEEN 1967 AND 1971. UNDER THAT POLICY, TRANSFERS
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OF US- ORIGIN EQUIPMENT BY THIRD COUNTRIES WAS PERMITTED
ON CASE- BY- CASE BASIS. THIS POSITION THUS PART OF
PRESENT POLICY.

8. THIRD- COUNTRY TRANSFERS ARE GOVERNED AND LIMITED
BY LEGISLATION. UNDER EXISTING LAW, ITEMS FURNISHED
UNOER FOREIGN ASSISTANCE ACT OR SOLD UNDER FOREIGN
MILITARY SALES ACT MAY NOT BE TRANSFERRED IN ABSENCE
PRIOR US CONSENT, AND SUCH CONSENT MAY NOT BE GIVEN
UNLESS US ITSELF WOULD TRANSFER SUCH ITEMS TO THE
PROPOSED RECIPIENT. WHILE COMMERCIAL SALES ARE NOT
SUBJECT TO SIMILAR STATUTORY REQUIREMENT, SAME STANDARD
HAS BEEN FOLLOWED AS MATTER OF POLICY.

3. PURSUANT PRESENT POLICY, IT WOULD APPEAR THAT ALL
OF ITEMS DESCRIBED IN REFTEL ELIGIBLE FOR SALE TO
PAKISTAN AND INDIA. THUS THERE WOULD APPEAR BE NO
IMPEDIMENT TO TRANSFER SUCH ITEMS BY IRAN. HOWEVER,
TO CONFIRM THIS, WE WOULD EXPECT CONTINUE REVIEW EACH
CASE INDIVIDUALLY TO INSURE THAT CASE (A) MEETS TERMS
OF POLICY AND THUS (B) ENCOUNTERS NO LEGISLATIVE BARRIER.

4. YOU MAY INFORM IRANIANS THAT WE PREPARED CONSIDER
FAVORABLY A FORMAL REQUEST FOR TRANSFER OF FOUR C-130' S.
YOU SHOULD, HOWEVER, NOT PROMPT THEM TO REVIVE OTHER
EARLIER REQUESTS CITED REFTEL; RATHER, INITIATIVE
SHOULD BE THEIRS. WHEN IRANIANS CONFIRM INTENTION SEEK
AUTHORIZATION, DELHI AND ISLAMABAD SHOULD THEN EXPLAIN
OUR ATTITUDE TOWARD THIRD- COUNTRY TRANSFERS AT APPRO-
PRIATE LEVELS GOI AND GOP. BOTH SHOULD NOTE, INTER ALIA,
US LAW REQUIRES, AS CONDITION FOR APPROVAL SUCH TRANSFER,
USG OBTAIN WRITTEN ASSURANCE FROM TRANSFEREE THAT NO
SUBSEQUENT TRANSFER WILL BE MADE WITHOUT USG APPROVAL.

5. FYI: SINCE KEY ELEMENT OF OUR SOUTH ASIA POLICY
IS FOSTERING REGIONAL STABILITY AND INDO- PAK MODUS
VIVENDI, WE WOULD PREFER TRANSFERS BE SPACED OVER
REASONABLE PERIOD OF TIME. END FYI. ROGERS

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*** Current Classification *** SECRET

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